



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/474,948	12/30/1999	BRIAN PARSONNET	25302	2982

7590

04/08/2002

HONETWELL INC  
HONEYWELL PLAZA  
POB 524  
MINNEAPOLIS, MN 554400524

EXAMINER
----------

JEANTY, ROMAIN

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 04/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

2

## Office Action Summary

Application No.

~~09/467,449~~ 09474948

Applicant(s)

CAO ET AL.

Examiner

Romain Jeanty

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 1999.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-55 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claim 1-30, drawn for use in connection with a network capable of providing communications between a plurality of customers generating service request and a plurality of vendors capable of fulfilling said service requests, a system for monitoring and controlling work flows associated with said service requests between said plurality of customers and said plurality of vendors, classified in class 705, subclass 400
  - II. Claims 31-55, drawn for use in connection with a network capable of providing communications between a plurality of customers generating service request and a plurality of vendors capable of fulfilling said service requests, a system for brokering said service requests between said plurality of customers and said plurality of vendors, classified in class 705, subclass 8.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as transferring at least one of said at least one message, data files, software applications, and documents to at least one of said first customer and said first vendor. See MPEP § 806.05(d).

Art Unit: 2163

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

5. A telephone call was made to William Munck on April 4, 2002 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

### **Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed **Romain Jeanty** whose telephone number is **(703) 308-9585**. The examiner can normally be reached on weekdays from 7:30 am to 6:00 pm.

If attempts to reach the examiner are not successful, the examiner's supervisor, **Tariq R Hafiz** can be reached at **(703) 305-9643**.

Any inquiry of a general nature or relating to the status of this application or preceding should be directed to the group **receptionist** whose telephone number is **(703)308-3900**.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

Art Unit: 2163

**Washington, D.C 20231**

or faxed to:

**(703) 746-7238** (After-Final communication)


**(703) 746-7239** (Official communication)

**(703) 746-7240** (Informal or draft communication labeled ("PROPOSED" or "DRAFT").

Hand delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive,  
Arlington VA., fourth floor receptionist.

RJ

April 4, 2002.

  
KYLE J. CHOI  
PRIMARY EXAMINER  
Art Unit 2163